



**U.S. Department of Justice**

*United States Attorney  
Eastern District of New York*

AAS:SME  
F. #2019R01145

*271 Cadman Plaza East  
Brooklyn, New York 11201*

December 3, 2020

By ECF

The Honorable Pamela K. Chen  
United States District Judge  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, NY 11201

Re: United States v. Bo Mao  
Criminal Docket No. 19-00392 (PKC)

Dear Judge Chen:

The government writes in connection with the change of plea hearing in the above-referenced matter scheduled for Friday, December 4, 2020 at 3:00 p.m. As set forth below, the parties are prepared to proceed with the defendant's guilty plea at tomorrow's hearing.

As the Court is aware, the defendant requested certain representations from the government regarding the defendant's ability to return to the People's Republic of China, should the Court accept the proposed resolution pursuant to Federal Rule of Criminal Procedure 11(c)(1)(C). On November 29, 2020 the government represented to the defendant in writing that "EDNY, MLARS, and CES do not intend to take any actions that would impede [the defendant's] return home on December 16." In a November 30, 2020 letter to the Court, the defendant suggested that he was relying on a different representation, namely that "the government . . . was unaware of any action by any federal, state or local prosecuting office or administrative agency that might delay or prevent [the defendant's] departure." The discrepancy in the aforementioned statements led to an adjournment of the plea hearing.

In the interim, the parties have continued to confer, and the government has represented in writing to the defendant that "the prosecutors in this matter are not aware of any pending or likely action by any federal, state or local prosecuting office or administrative agency that might delay or prevent the defendant's departure on December 16, 2020." The

defendant has informed the government that he is prepared to proceed with the scheduled guilty plea at the December 4, 2020 hearing.

Respectfully submitted,  
SETH D. DUCHARME  
Acting United States Attorney

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Cc: Defense counsel (by ECF)